

REMARKS

This Amendment is submitted in reply to the Office Action mailed on May 29, 2007.

In the Office Action, the Examiner objected to claims 7-18 as having informalities; rejected claims 1-2, 7-9, 12, and 15 under 35 U.S.C. § 102(b) as being anticipated by Watanabe et al. (U.S. Patent No. 5,403,916); and rejected claims 10-11, 13-14, and 16-18 under 35 U.S.C. § 103(a) as being unpatentable over Watanabe et al. in view of Tseng (U.S. Publication No. 2003/0071269).

Although Applicant does not necessarily agree with these rejections, in the interest of expediting prosecution of this application, Applicant has canceled claims 1-2 and 7-18, and added new claims 19-28, the support for which may be found at least on pages 5-9 of Applicant's specification. Applicant believes that no new matter has been added. Applicant further believes that new claims 19-28 will obviate the Examiner's objections based on the informalities that resulted from translation of a foreign document. After entry of this Amendment, claims 19-28 will remain pending. Of these, claims 19, 26, and 27 are the only independent claims.

§ 102(b) Rejection by Watanabe et al.

Although Applicant respectfully traverses the rejection of claims 1-2, 7-9, 12, and 15 under 35 U.S.C. § 102(b) as being anticipated by Watanabe et al., Applicant has canceled claims 1-2 and 7-18 in the interests of expediting prosecution of this application. Applicant submits that new claims 19-28 are likewise not anticipated by Watanabe et al.

In order to properly anticipate Applicant's claimed invention under 35 U.S.C. § 102, a single prior art reference must disclose each and every element of the claim at

issue, either expressly or under principles of inherency. Further, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” See M.P.E.P. § 2131. Also, “[t]he elements must be arranged as required by the claim.” *Id.*

Watanabe et al. teaches a method for producing a light emitting diode (LED) by forming a first semiconductor multilayer 40 on a first semiconductor substrate 10; forming a light emitting layer 14 on the first semiconductor multilayer; forming a second semiconductor multilayer 50; disposing a transparent, second semiconductor substrate 20; and bonding the second semiconductor substrate 20 and the second semiconductor multilayer 50. (Col. 5, lines 20-40). Although Watanabe et al. teaches bonding the second semiconductor substrate 20 and the second semiconductor multilayer 50 by irradiating with a laser beam, this step is carried out for at least 2 hours and is used for the application of enclosing a light emitting layer of an LED between the two substrates. (Col. 6, lines 3-10).

Conversely, Applicant’s disclosure relates to the field of packaging micro-electromechanical-system (MEMS) devices. (Page 1, lines 7-15). Moreover, Applicant discloses bonding with light, having a wavelength that is absorbed into the silicon substrate but not into the pressure means and the plastic film, and being radiated for only a short period of time. (Col. 6, lines 33-37; Col. 7, lines 10-14). Most importantly, Watanabe et al. does not teach or suggest, *inter alia*, “[bonding] the plastic film and the semiconductor substrate *around a perimeter of each of the plurality of MEMS devices* formed on the semiconductor substrate,” as recited in independent claims 19 and 27 (emphasis added). Nor does Watanabe et al. teach or suggest, “[a] plastic film for packing a plurality of Micro Electro Mechanical System (MEMS) devices formed on a

semiconductor substrate, the plastic film covering over a surface of the semiconductor substrate and having a plurality of recesses corresponding to the plurality of MEMS devices,” as recited in independent claim 26.

Accordingly, Watanabe et al. does not teach or suggest each and every limitation of independent claims 19, 26, and 27. Applicant respectfully submits that claims 19, 26, and 27 are allowable over Watanabe et al. and requests that this rejection under § 102(b) be withdrawn.

Claims 20-25 and 28 depend from claims 19 and 27, respectively, and therefore include each and every element of claims 19 and 27. Claims 19 and 27 are allowable over Watanabe et al. as discussed above. Thus, claims 20-25 and 28 are allowable at least due to their dependency from claims 19 and 27.

§ 103(a) Rejection in view of Tseng

Although Applicant respectfully traverses the rejection of claims 10-11, 13-14, and 16-18 under 35 U.S.C. § 103(a) as being unpatentable over Watanabe et al. in view of Tseng, Applicant has canceled claims 1-2 and 7-18 in the interests of expediting prosecution of this application. Applicant submits that new claims 19-28 are neither anticipated by Watanabe et al. (for the reasons discussed above), nor rendered unpatentable by Tseng.

The Office Action contends that Tseng discloses a method of applying a mask to bond glass to a silicon substrate. (Office Action, page 5). However, even if Tseng teaches that which it is alleged to teach, Tseng does not cure the deficiencies of Watanabe et al., as discussed above.

Specifically, Tseng does not teach or suggest, *inter alia*, “[bonding] the plastic film and the semiconductor substrate *around a perimeter of each of the plurality of MEMS devices* formed on the semiconductor substrate,” as recited in claims 19 and 27 (emphasis added). Nor does Tseng teach or suggest, “[a] plastic film for packing a plurality of Micro Electro Mechanical System (MEMS) devices formed on a semiconductor substrate, the plastic film covering over a surface of the semiconductor substrate and having a plurality of recesses corresponding to the plurality of MEMS devices,” as recited in claim 26.

Accordingly, neither Watanabe et al. nor Tseng, either alone or in combination, teaches or suggests each and every limitation of independent claims 19, 26, and 27. Applicant respectfully submits that claims 19, 26, and 27 are allowable over Watanabe et al. and Tseng and requests that this rejection under § 103(a) be withdrawn.

Claims 20-25 and 28 depend from claims 19 and 27, respectively, and therefore include each and every element of claims 19 and 27. Claims 19 and 27 are allowable over Watanabe et al. and Tseng as discussed above. Thus, claims 20-25 and 28 are allowable at least due to their dependency from claims 19 and 27.

Conclusion

The Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the Office Action.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 29, 2007

By: /David W. Hill/
David W. Hill
Reg. No. 28,220